

**IN THE CHANCERY COURT OF HAMILTON COUNTY, TENNESSEE**

TAMMY E. PARKER, : Docket No.: 10-0948  
Plaintiff, : Part: \_\_\_\_\_  
vs. : JURY DEMAND  
MUTUAL OF OMAHA, and its affiliate, :  
UNITED OF OMAHA LIFE INSURANCE :  
COMPANY, :  
Defendants. :  
\_\_\_\_\_

**COMPLAINT**

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Tammy E. Parker, through counsel, alleges as follows:

1. Plaintiff, Tammy E. Parker, is a resident of Chattanooga, Hamilton County, Tennessee.
2. Defendant, Mutual of Omaha, is an insurance company authorized to do business in Tennessee.
3. Defendant, United of Omaha Life Insurance Company, is an insurance company and an affiliate of Mutual of Omaha and was the issuer of the policies in question and is authorized to do business in Tennessee.
4. Ms. Parker was employed with the Chattanooga Housing Authority. Through her employment, she entered into policies with Mutual of Omaha under its affiliate United of Omaha Life Insurance Company, for both long-term disability benefits and for life insurance benefits.

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5. Pursuant to the terms of the life insurance policy, when Ms. Parker became "totally disabled" from working, the monthly premium for the life insurance was to have been waived.

6. Since October 31, 2008, Ms. Parker has been totally disabled from working and is entitled to the continuation of her long-term disability benefits and to the waiver of life insurance premium.

Wherefore, Plaintiff respectfully prays:

1. That all proper process issue, with a copy to be served upon the defendants, requiring an answer.

2. That at the hearing of this cause the Court enter judgment against Mutual of Omaha and United of Omaha Life Insurance Company for long-term disability benefits due, waiver of life insurance premiums, attorney's fees, punitive damages, together with interest and penalties.

3. That the Court grant such other, general, further relief as equity and justice demand.

4. That this cause be heard before a jury.

Respectfully submitted,

WEILL & LONG, PLLC

By 

Flossie Weill (BPR No. 004637)  
Ira M. Long, Jr. (BPR No. 22411)  
Attorneys for Plaintiff  
1205 Tallan Building, Two Union Sq.  
Chattanooga, TN 37402  
Telephone: 423/756-5900  
Facsimile: 423/756-5909

**STATE OF TENNESSEE**  
**Department of Commerce and Insurance**  
**500 James Robertson Parkway**  
**Nashville, TN 37243-1131**  
**PH - 615.532.5260, FX - 615.532.2788**  
**brenda.meade@tn.gov**

November 22, 2010

Mutual Of Omaha Insurance Company  
Mutual Of Omaha Plaza  
Omaha, NE 68175  
NAIC # 71412

Certified Mail  
Return Receipt Requested  
7009 3410 0002 1724 0286  
Cashier # 6339

Re: Tammy E. Parker V. Mutual Of Omaha Insurance Company  
Docket # 10-0948

To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served November 17, 2010, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Brenda C. Meade  
Designated Agent  
Service of Process

Enclosures

cc: Chancery Court Clerk  
Hamilton County  
201 East Seventh Street, Rm 300  
Chattanooga, Tn 37402

10 10/20 11:10:16

State of Tennessee  
IN THE CHANCERY COURT FOR HAMILTON COUNTY

ORIGINAL (J)  
11-8-10  
DO NOT BE RETURNED TO CLERK  
WHEN SERVICE IS PERFECTED!

TAMMY E. PARKER

PLAINTIFF

vs.

DOCKET NO. 10-0948

MUTUAL OF OMAHA, and its affiliate,  
UNITED OF OMAHA LIFE INSURANCE  
COMPANY

DEFENDANTS

## SUMMONS

TO DEFENDANT: (1) MUTUAL OF OMAHA

(Policy No. GLTD365B)

Serve: Through Commissioner of Insurance

(Claim No. 250803371801)

(2) UNITED OF OMAHA LIFE INSURANCE COMPANY (Policy No. GLUG-365B)

Serve: Through Commissioner of Insurance

You are summoned and required to Answer and make defense to a Complaint herewith served upon you. Your Answer to the Complaint must be filed and served upon plaintiff's attorney on or before thirty (30) days after service of this Summons and Complaint upon you, exclusive of the day of service. Your Answer must be filed in the OFFICE OF THE CLERK & MASTER, 300 Courthouse, 625 Georgia Avenue, Chattanooga, Tennessee 37402. You are also required to serve a copy of your Answer upon the plaintiff's attorney, or the *pro se* plaintiff as set out below. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

ISSUED & TESTED this 9th day of November, 2010.

S. LEE AKERS, CLERK & MASTER

By: Cherelle Hudson

DEPUTY CLERK & MASTER

Flossie Weill, Esq.

004637

Plaintiff Attorney

BPR#

or Plaintiff if no attorney (*pro se*)

1205 Tallan Building, 2 Union Square

Address

Chattanooga, TN 37402

423/756-5900

423/756-5909

Tel. No.

Fax No.

### NOTICE TO DEFENDANT(S)

Tennessee Code Annotated § 26-2-103 provides a \$4,000.00 personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk & Master. The list may be filed at any time and may be changed by you thereafter as necessary; however unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you, would have the right to recover them. If you do not understand your exemption right or how to file a list, seek the advice of an attorney.

10 NOV 23 2010 15:15

**STATE OF TENNESSEE**  
**Department of Commerce and Insurance**  
**500 James Robertson Parkway**  
**Nashville, TN 37243-1131**  
**PH - 615.532.5260, FX - 615.532.2788**  
**brenda.meade@tn.gov**

November 22, 2010

United Of Omaha Life Ins Company  
Mutual Of Omaha Plaza  
Omaha, NE 68175  
NAIC # 69868

Certified Mail  
Return Receipt Requested  
7009 3410 0002 1724 0293  
Cashier # 6340

Re: Tammy E. Parker V. United Of Omaha Life Ins Company  
Docket # 10-0948

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ORIGINAL  
11-08-10

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DOCKET NO. 10-0 948

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ISSUED & TESTED this 9th day of November, 2010.

S. LEE AKERS, CLERK & MASTER

By: Flossie Weill

DEPUTY CLERK & MASTER

Flossie Weill, Esq.

004637

Plaintiff Attorney

BPR#

or Plaintiff if no attorney (*pro se*)

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